

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND Senate Bill No. 0564, Page 1, In the title, Lines 3 through 5, by deleting all of said lines
2 and inserting in lieu thereof the words, "to motor vehicles"; and
3

4 Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

5 "302.130. 1. Any person at least fifteen years of age who, except for age or lack of
6 instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant
7 to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction
8 permit entitling the applicant, while having such permit in the applicant's immediate possession,
9 to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months,
10 but any such person, except when operating a motorcycle or motortricycle, must be accompanied
11 by a licensed operator for the type of motor vehicle being operated who is actually occupying a
12 seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at
13 least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed
14 operator occupying the seat beside the driver shall be a grandparent, parent, guardian, a driver
15 training instructor holding a valid driver education endorsement on a teaching certificate issued by
16 the department of elementary and secondary education or a qualified instructor of a private
17 drivers' education program who has a valid driver's license. An applicant for a temporary
18 instruction permit shall successfully complete a vision test and a test of the applicant's ability to
19 understand highway signs which regulate, warn or direct traffic and practical knowledge of the
20 traffic laws of this state, pursuant to section 302.173. In addition, beginning January 1, 2007, no
21 permit shall be granted pursuant to this subsection unless a parent or legal guardian gives written
22 permission by signing the application and in so signing, state they, or their designee as set forth in
23 subsection 2 of this section, will provide a minimum of forty hours of behind-the-wheel driving
24 instruction, including a minimum of ten hours of behind-the-wheel driving instruction that occurs
25 during the nighttime hours falling between sunset and sunrise. The forty hours of

1 behind-the-wheel driving instruction that is completed pursuant to this subsection may include
2 any time that the holder of an instruction permit has spent operating a motor vehicle in a driver
3 training program taught by a driver training instructor holding a valid driver education
4 endorsement on a teaching certificate issued by the department of elementary and secondary
5 education or by a qualified instructor of a private drivers' education program. If the applicant for a
6 permit is enrolled in a federal residential job training program, the instructor, as defined in
7 subsection 5 of this section, is authorized to sign the application stating that the applicant will
8 receive the behind-the-wheel driving instruction required by this section.

9 2. In the event the parent, grandparent or guardian of the person under sixteen years of age
10 has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from
11 being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian
12 may designate a maximum of two individuals authorized to accompany the applicant for the
13 purpose of giving instruction in driving the motor vehicle. An authorized designee must be a
14 licensed operator for the type of motor vehicle being operated and have attained twenty-one years
15 of age. At least one of the designees must occupy the seat beside the applicant while giving
16 instruction in driving the motor vehicle. The name of the authorized designees must be provided
17 to the department of revenue by the parent, grandparent or guardian at the time of application for
18 the temporary instruction permit. The name of each authorized designee shall be printed on the
19 temporary instruction permit, however, the director may delay the time at which permits are
20 printed bearing such names until the inventories of blank permits and related forms existing on
21 August 28, 1998, are exhausted.

22 3. The director, upon proper application on a form prescribed by the director, in his or her
23 discretion, may issue a restricted instruction permit effective for a school year or more restricted
24 period to an applicant who is enrolled in a high school driver training program taught by a driver
25 training instructor holding a valid driver education endorsement on a teaching certificate issued by
26 the state department of elementary and secondary education even though the applicant has not
27 reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit
28 shall entitle the applicant, when the applicant has such permit in his or her immediate possession,
29 to operate a motor vehicle on the highways, but only when a driver training instructor holding a
30 valid driver education endorsement on a teaching certificate issued by the state department of
31 elementary and secondary education is occupying a seat beside the driver.

1 4. The director, in his or her discretion, may issue a temporary driver's permit to an
2 applicant who is otherwise qualified for a license permitting the applicant to operate a motor
3 vehicle while the director is completing the director's investigation and determination of all facts
4 relative to such applicant's rights to receive a license. Such permit must be in the applicant's
5 immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's
6 license has been issued or for good cause has been refused.

7 5. In the event that the applicant for a temporary instruction permit described in
8 subsection 1 of this section is a participant in a federal residential job training program, the
9 permittee may operate a motor vehicle accompanied by a driver training instructor who holds a
10 valid driver education endorsement issued by the department of elementary and secondary
11 education and a valid driver's license.

12 6. A person at least fifteen years of age may operate a motor vehicle as part of a driver
13 training program taught by a driver training instructor holding a valid driver education
14 endorsement on a teaching certificate issued by the department of elementary and secondary
15 education or a qualified instructor of a private drivers' education program.

16 7. Beginning January 1, 2003, the director shall issue with every temporary instruction
17 permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words
18 "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the
19 director by regulation. Every applicant issued a temporary instruction permit and sticker on or
20 after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor
21 vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle whenever
22 the holder of the instruction permit operates a motor vehicle during his or her temporary permit
23 licensure period.

24 8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction
25 permit issued under this section is lawfully present in the United States before accepting the
26 application. The director shall not issue an instruction permit for a period that exceeds an
27 applicant's lawful presence in the United States. The director may establish procedures to verify
28 the lawful presence of the applicant and establish the duration of any permit issued under this
29 section.

30 9. Notwithstanding subsection 1 of this section, if an applicant is issued a temporary
31 instruction permit under the provisions of this section that includes a motorcycle endorsement,

1 then such temporary instruction permit shall only entitle the applicant to operate a motor vehicle,
2 motorcycle, or motortricycle for a period of six months and such applicant may only renew such
3 permit two additional times, for a total maximum cumulative permit period of eighteen months
4 pursuant to section 302.132.

5 10. The director may adopt rules and regulations necessary to carry out the provisions of
6 this section.

7 302.132. 1. Any person at least fifteen and one-half years of age who, except for age or
8 lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a
9 motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may
10 apply, with the written consent of the parent or guardian of such person, for a temporary
11 motorcycle instruction permit to operate a motorcycle or motortricycle.

12 2. The director shall issue a temporary motorcycle instruction permit under this section if
13 the applicant has completed a motorcycle rider training course approved under sections 302.133 to
14 302.138 and is otherwise eligible for the temporary permit.

15 3. A person receiving a temporary motorcycle permit and having it in his or her
16 immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six
17 months upon the highways of the state, and [persons under the age of sixteen] such person shall be
18 subject to the following restrictions:

19 (1) [The motorcycle or motortricycle may not have an engine with a displacement of
20 greater than two hundred fifty cubic centimeters;

21 (2)] The operator shall not travel at any time from a half-hour after sunset to a half-hour
22 before sunrise; and

23 [(3)] (2) The operator shall not carry any passengers[; and

24 (4) The operator shall not travel over fifty miles from the operator's home address].

25 4. An applicant issued a temporary motorcycle instruction permit under this section may
26 renew such permit two additional times, for a total maximum permit period of eighteen months.
27 After such period the applicant shall complete the required written examinations to obtain a
28 temporary motorcycle instruction permit or a temporary instruction permit with a motorcycle
29 endorsement.”; and
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1 Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the
2 following:

3 “Section B. The repeal and reenactment of sections 302.130 and 302.132 shall become
4 effective May 1, 2013.”; and

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6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.